

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
SONYA LAMAR-ARCHIE and JOSEPH ARCHIE,

COMPLAINT

Plaintiffs,

-against-

THE UNITED STATES OF AMERICA,

Defendant.  
-----X

**07 CIV. 9830**  
**JUDGE CONNER**

Plaintiffs, through their attorneys, Goldstein & Metzger, LLP, complaining of the defendant herein, respectfully alleges, upon information and belief, as follows

**THE FACTS**

1. At all times herein mentioned, plaintiffs, Sonya Lamar-Archie and Joseph Archie, were husband and wife and resided in the County of Orange, State of New York, United States of America and were citizens thereof.
2. This action is brought against defendant, The United States of America under and pursuant to 28 USC 1346(b) and 28 USC 2679(b) of the Federal Tort Claims Act for negligent acts and/or wrongful acts and/or omissions of an agent, servant and/or employee of the defendant, The United States of America.
3. Venue is based on 28 USC 1402(b) in that the negligent or wrongful acts or omissions complained of occurred in the Judicial District in and for the Southern District of New York.
4. The acts of negligence of the agent and/or employee of the defendant, The United States of America, arose on or about the 25<sup>th</sup> day of June, 2006.
5. At all times herein mentioned, Robinson Avenue at its intersection with Ann Street, in the City of Newburgh, County of Orange, State of New York, was and

still is a public roadway used by the parties hereto and by others.

6. At all times herein mentioned, plaintiff, Sonya Lamar-Archie, was the operator of a motor vehicle owned by plaintiff, Joseph Archie, bearing New York registration number DKR 9680 for the year 2006.
7. Upon information and belief, at all times herein mentioned, Samnang Long, was and still is a resident of the State of Ohio, United States of America.
8. Upon information and belief, at all times herein mentioned, Samnang Long, was a cadet at The United States Military Academy, Department of the Army, West Point, New York.
9. Upon information and belief, at all times herein mentioned, Samnang Long, was the operator of a certain motor vehicle owned by Acme Auto Leasing, LLC, bearing Connecticut registration number KBC 6724 for the year 2005.
10. Upon information and belief, at all times herein mentioned, Samnang Long, was operating the motor vehicle with the permission and consent, either actual or implied, of its owner, defendant, Acme Auto Leasing, LLC.
11. That on or about June 25, 2006, at approximately 4:49 P.M., on Robinson Avenue, at its intersection with Ann Street, in the City of Newburgh, County of Orange, State of New York, an accident occurred between the motor vehicles.
12. Upon information and belief, at all times herein mentioned, at the time of the aforesaid occurrence, Samnang Long, was acting within the scope of his employment with defendant, The United State of America at The United States Military Academy, Department of the Army, West Point, New York.

**A STATEMENT OF CLAIM**  
**ON BEHALF OF PLAINTIFF, SONYA LAMAR-ARCHIE**

13. Plaintiffs repeat, reiterate and reallege, with the same force and effect as though

fully set forth herein, each and every allegation previously contained in this complaint.

14. That said accident and all of plaintiff's injuries resulting therefrom were caused and brought about solely through the negligence of the defendant.
15. The applicable written Claim for Damage, Injury or Death was filed with the United States Military Academy, Department of the Army on or about October 17, 2006, for plaintiff, Sonya Lamar-Archie, demanding the sum of FIVE HUNDRED THOUSAND & 00/100 (\$500,000.00) DOLLARS.
16. All prerequisites for filing this suit have been complied with by the plaintiff, Sonya Lamar-Archie, pursuant to the provisions of 28 USC 2401.
17. On or about October 9, 2007, defendant made an offer of settlement in the sum of \$20,000.00. This lawsuit is being commenced because plaintiff, Sonya Lamar-Archie, is dissatisfied with this agency's action.
18. That by reason of the foregoing, plaintiff, Sonya Lamar-Archie, sustained a serious injury as defined in subsection (d) of Section 5102 of the Insurance Law or economic loss greater than basic economic loss as defined in subsection (a) of Section 5102 of the Insurance Law, all to her damage in the sum of FIVE HUNDRED THOUSAND & 00/100 (\$500,000.00) DOLLARS.

**AS AND FOR A SECOND STATEMENT OF CLAIM**  
**ON BEHALF OF PLAINTIFF, JOSEPH ARCHIE**

19. Plaintiffs repeat, reiterate and reallege, with the same force and effect as though fully set forth herein, each and every allegation previously contained in this complaint.
20. That by reason of the foregoing accident, plaintiff, Joseph Archie, has lost the aid, comfort, society, consortium, services and care of his spouse, plaintiff, Sonya

Lamar-Archie, all to his damage in the amount of ONE HUNDRED THOUSAND & 00/100 (\$100,000.00) DOLLARS.

21. The applicable written Claim for Damage, Injury or Death was filed with the defendant on or about November 28, 2006, for plaintiff, Joseph Archie.

**WHEREFORE**, plaintiffs demand judgment against the defendant as follows:

- (a) FIVE HUNDRED THOUSAND & 00/100 (\$500,000.00) DOLLARS, for plaintiff, Sonya Lamar-Archie, on the First Statement of Claim;
- (b) ONE HUNDRED THOUSAND & 00/100 (\$100,000.00) DOLLARS, for plaintiff, Joseph Archie, on the Second Statement of Claim;

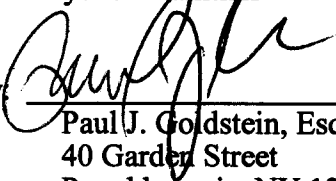
together with the costs, disbursements and attorneys' fees of this action and such other and further relief which as to this Court may seem just and proper.

Dated: November 1, 2007  
Poughkeepsie, New York

Yours, etc.

GOLDSTEIN & METZGER, LLP  
Attorneys for Plaintiffs

By



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